

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 06, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$5,000.00 U.S. CURRENCY,

Defendant.

No. 2:20-cv-0040-SMJ

**FINAL ORDER OF FORFEITURE
AND ORDER GRANTING
DEFAULT JUDGMENT**

*****U.S. MARSHALS SERVICE
ACTION REQUIRED*****

Before the Court, without oral argument, is the United States of America's Motion for Default Judgment and Final Order of Forfeiture, ECF No. 28. Having considered the pleadings and file in this matter, the Court is fully informed and **GRANTS** the United States' motion and enters the following Final Order of Forfeiture.

Plaintiff, the United States of America, alleged in a Verified Complaint for Forfeiture *In Rem* that the Defendant currency captioned above is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. § 1335. Venue is also proper pursuant to 28 U.S.C. § 1335.

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1 The Defendant property being sought for forfeiture is described as follows:

2 \$5,000.00 U.S. currency seized on September 10, 2019, by the
3 United States Postal Inspection Service.

4 On March 17, 2020, the United States Marshals Service executed the Warrant
5 of Arrest *In Rem*. On March 18, 2020, Plaintiff filed the executed Warrant of Arrest
6 *In Rem* with the Court, ECF No. 6.

7 In accordance with Federal Rule of Civil Procedure G(4)(a)(iv)(C),
8 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture
9 Actions, notice of civil forfeiture was posted on an official government website
10 www.forfeiture.gov beginning January 28, 2020 and ending February 26, 2020.
11 ECF No. 5-1. Based upon the internet publication start date of January 28, 2020,
12 the last date to file a timely claim if direct notice was not received was March 28,
13 2020.

14 On March 19, 2020 and March 26, 2020, Plaintiffs provided all known and
15 potential claimants—John Dawson, Jr., Kung Fu Vapes, LLC, Bertha Scott, FNU
16 Scott, Geronimo Scott, Harry Scott, Samuel Scott, Ken Wade, and Keri Wade—
17 with notice of the civil forfeiture action. ECF Nos. 7–9.

18 No other timely claims to the Defendant currency have been received or filed
19 with the Court, and the deadline for filing timely claims has passed.

20 On July 6, 2020, the Clerk of Court entered Orders of Default against John
Dawson, Jr., Kung Fu Vapes, LLC, Bertha Scott, FNU Scott, Geronimo Scott,

1 Harry Scott, Samuel Scott, Ken Wade, and Keri Wade. ECF Nos. 19–27.

2 Accordingly, **IT IS HEREBY ORDERED:**

3 1. Plaintiff's Motion for Default Judgment and Final Order of Forfeiture,
4 **ECF No. 28, is GRANTED.**

5 2. Default judgments shall be entered against the interests of John
6 Dawson, Jr., Kung Fu Vapes, LLC, Bertha Scott, FNU Scott,
7 Geronimo Scott, Harry Scott, Samuel Scott, Ken Wade, and Keri
8 Wade.

9 3. The Defendant \$5,000.00 in U.S. Currency is hereby forfeited to the
10 United States of America, and no right, title, or interest shall exist in
11 any other person.

12 4. The United States Marshals Service shall dispose of the forfeited
13 currency described herein in accordance with law.

14 5. This Court shall retain jurisdiction in the case for the purpose of
15 enforcing or amending this order.

16 6. The Clerk's office shall **CLOSE** this case.

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7. All deadlines and hearings set in this matter are **STRICKEN**.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 6th day of August 2020.

Salvador Mendoza Jr.
SALVADOR MENDEZ JR.
United States District Judge